



Empowering Archipelago Regional Laws: A Legal Analysis of Their Role in Promoting Equal Development and Enhancing the Well-being of People in Indonesia

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Abstract

The Unitary State of the Republic of Indonesia is an archipelagic state characterized by the Archipelago with territories whose boundaries and rights are stipulated by law with the presence of the Archipelago Regional Bill, accessibility to fulfilling basic needs, such as good education and health, as well as productivity of small islands, coastal investment, and economic independence of coastal communities can be realized. The Bill on the Archipelago Region is considered to be able to assist the region in efforts to alleviate poverty and equalize social justice for all Indonesian people who live in archipelagic areas also as a legal design to answer various problems in the archipelago: poverty, inequality, and underdevelopment of national development. The importance of Indonesia having an Archipelagic Regional Law is to develop maritime potential, can accelerate infrastructure development and equitable distribution of development in realizing the welfare of the Indonesian people are Adequate protection of their rights and the surrounding environment, Overcoming resource conflicts, Economic and social development, Overcome environmental damage, Improving understanding of the importance of managing islands, Resolving and anticipating regional disparities in the archipelago, to formulate Local Own Revenue

Keywords: Archipelago, Equal Development, Enhancing the Well-being of People

Introduction

Article 25A of the 1945 Constitution of the Republic of Indonesia confirms that: "The Unitary State of the Republic of Indonesia is an archipelagic state characterized by the Archipelago with territories whose boundaries and rights are stipulated by law." This confirmation was also strengthened by several legal bases, including Law No. 1 of 1973 concerning the Indonesian Continental Shelf, Law No. 17 of 1985 concerning the Ratification of the United Nations Convention on *The Law of The Sea*, Law Number 6 of 1996 concerning Indonesian Waters, and Law Number 43 of 2008 concerning State Territories.

As a country with archipelagic characteristics, the number of islands in Indonesia is internationally officially recorded at 16,056 islands. This shows that Indonesia is the largest *archipelagic state* in the world. Indonesia has a coastline of 81,000 km. Its waters consist of territorial, archipelagic, and inland waters covering an area of 2.7 million km² or 70 % of the Unitary State of the Republic of Indonesia (NKRI). Indonesia also has an Exclusive Economic Zone (EEZ) of 3.1 million km², increasing the area of Indonesia's seas to 5.8 million km.

The land area of Indonesia reaches 2.012 million km² and the sea area is around 5.8 million km² or 75.7% of the entire territory of the Republic of Indonesia. This figure shows that Indonesia's sea area is 2.5 times wider than its land area. This fact also shows that Indonesia has enormous potential for natural wealth and environmental services supporting local, regional, and national economic development.

The archipelago areas in Indonesia cover the Level I Regions, namely the Provinces of Maluku, Riau Archipelago, North Sulawesi, West Nusa Tenggara, North Maluku, Bangka Belitung, East Nusa Tenggara, and Southeast Sulawesi. There are also Level II Regions, including the Municipal Governments of Batam, Bima, Ambon, Natuna, Biak Numfor, and others. Ali Mazi, Chairman of the Cooperation Agency (BKS) for the Archipelago Province and the Governor of



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Southeast Sulawesi, said that the state must exist to support the lives of the people in the island group.

Based on the description explained in the background, the formulation of the problem can be obtained in the form of research questions, as follows.

- a. Can the Archipelagic Regional Bill realize equitable distribution of development and welfare of the Indonesian people?
- b. What is the legal basis of legal analysis evaluation of the importance of the Archipelagic Regional Law in realizing equitable development and welfare of the Indonesian people?
- c. What problems have arisen regarding the management of the Archipelagic Regional Law in realizing equitable distribution of development and welfare of the Indonesian people?

Theoretical Basis

Theory of the Unitary State

A unitary state is a country under one government, namely the central government, which has the highest power or authority in all fields of government. According to Fred Isjwara, a unitary state is the most potent form of state when compared to a federal or confederation form.

According to Sumali, a state based on law essentially means that the law is '*supreme*', and every state or government administrator must comply with the law (*subject to the law*). There is no power above the law (*above the law*). Everything is under the law (*under the rule of law*). With this position, there should be no arbitrary *power* or *misuse of power*.

In the Indonesian context, the assertion of Indonesia as a legal state has so far been regulated in the Elucidation of the Constitution of 1945. The amendments to the 1945 Constitution have been raised into Article 1 paragraph (3), which stipulates that "Indonesia is a state based on law". The consequence of this provision is that every attitude, policy, and behavior of state apparatus and citizens must be based on law. This provision simultaneously prevents arbitrariness and arrogance of power by state apparatus and the population.

Indonesian Law State

According to Mahfud MD, Indonesia's rule of law state is a synthesis and concept of *rechtsstaat*, *the rule of law*, the rule of law, and the material rule of law, which are then given value to Indonesia as a specific value so that it becomes a state based on Pancasila law. The Indonesian rule of law differs from *the rechtsstaat* and *the rule of law*. *Rechtsstaat* puts forward *wetmatigheid*. *The rule of law* prioritizes the principle of *equality before the law*. *In contrast*, the Indonesian rule of law requires a harmonious relationship between the government and the people, prioritizing harmony.

Welfare Concept

Law Number 11 of 2009 concerning Social Welfare defines welfare as fulfilling citizens' material, spiritual and social needs to live decent lives and develop themselves to carry out their social functions. Article 33, concerning the economic system, and Article 34, concerning state concern for weak groups, place the state as the most responsible party in realizing social welfare.

The welfare state is responsible for increasing welfare by providing its citizens with universal and comprehensive social services. The welfare state refers to the government's responsive role in managing and organizing the economy to carry out its responsibilities to guarantee the availability of essential welfare services at a certain level for its citizens.

The main characteristic of *a welfare state* is the emergence of the government's obligation to realize general welfare for its citizens. Thus, the primary key in the welfare state is the issue of



guaranteeing people's welfare by the state. Regarding this, Jurgen Habermas argues that guaranteeing the welfare of all people is the main thing for the modern state. Furthermore, according to Habermas, the guarantee for the welfare of all the people referred to is realized in the protection of " *The risk of unemployment, accident, illness, old age, and death of the breadwinner must be covered mainly through welfare provisions of the state* ".

Form of State and Government of Indonesia

Indonesian Government System

The Indonesian government system is based on the 1945 Constitution of the Republic of Indonesia, with several changes in line with the transition to a new government system. The main points of the Indonesian government system are as follows.

- a. The form of a unitary state with the principle of broad regional autonomy- The territory is divided into provinces.
- b. The form of government is a republic, while the system of government is presidential.
- c. The president is both head of state and head of government. The president and vice president are elected and appointed by the MPR for five years. For the 2004-2009 term, the President and Vice President will be directly elected by the people in one package.
- d. The President appoints the cabinet or ministers who are responsible to the President.
- e. Parliament consists of two parts (bicameral), the DPR and the DPD. The members of the council are members of the MPR. The DPR has legislative power and the power to oversee government running.
- f. The Supreme Court and judicial bodies exercise judicial power underneath.

Thus, there were new changes in the Indonesian government system. This was intended to improve the old presidential system. These changes include direct elections, a bicameral system, a check and balance mechanism, *and granting* more extraordinary powers to parliament to oversee oversight and budget functions.

Regional Government in Indonesia

Indonesia is a democratic country, so sovereignty is in the hands of the people. Because the owners of sovereignty are the people, those who have the authority to run this country are the people too. Regarding the legislature, the people delegate part of their sovereignty to the existing representative system, namely the DPR. As for the executive, the people leave it to the President. With the transfer of governmental authority by the people to the President, the President becomes the guarantor responsibility of the highest government in Indonesia. Therefore, the President replied that all matters relating to government administration become the responsibility. The President forms a government by appointing Ministers and officials of the same level as assistants.

The president and the cabinet are tasked with organizing the government to become the central government. Its main task is to achieve the state's goals as mandated in the Constitution. The authority belonging to the central government includes general government authority and authority outside of general authority. Kristiadi explained that the authority of the general government includes regulation of political, social, order, defense, and security life. Outside the general authority, the authorities provide community services in a broad sense, such as health services, postal services, and telecommunications.

Delegation of government authority by the central government to the regions can be done in two ways, as follows.

- a. *Ultra vires doctrine*, namely the central government handing over governmental authority to autonomous regions by specifying one per One. The autonomous regions only carry out the authority handed over, while the remaining authority remains the center. This method is adopted



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- by Law Number 5 of 1974. The central government delegates certain matters to the regions. The center handed over the affairs step by step, considering the region's conditions and capabilities.
- b. *Open and arrangement* or *general competence*, the autonomous regions carry out all matters other than those owned by the center. That is the center surrenders authority to the regions to exercise authority based on their own needs and initiatives outside of the center's authority. This method of authority was adopted by Law Number 22 of 1999 and Law Number 32 of 2004 and was finally replaced by Law Number 23 of 2014 concerning Regional Government.

Currently, the latest and most recent legislation governing local government is Law No. 23 of 2014 as a substitute for Law No. 32 of 2004. Thus, when one looks at it, The Regional Government Law, since the implementation of regional autonomy for the first time through Law Number 22 of 1999, has undergone three amendments.

Law No. 23 of 2014 concerning Regional Government regulates regional government affairs so that they are not different from Law No. 32 of 2004, which also uses the term "affairs". This makes the difference with Law No. 22 of 1999 as a pioneer in implementing the decentralization system in implementing regional autonomy in Indonesia, which uses the term "authority".

Position and Relations between Central and Regional Governments

The relationship between the Central Government and Regional Governments has four crucial dimensions to examine: the relationship of authority, institutional, financial, and supervision. *First*, the division of authority to carry out government affairs will significantly affect the extent to which the Central and Regional Governments have the authority to administer governmental affairs. Because the territory of the Central Government includes Regional Governments, in this case, the object being cared for is the same, but the authority is different.

Second, this division of authority has implications for financial relations regulated in Law Number 33 of 2004 concerning the Financial Balance between the Central Government and Regional Governments. *Third*, the implications for institutional relations between the center and the regions require caution regarding the size of the institution needed to carry out the tasks that are their respective affairs. *Fourth*, the supervisory relationship is a consequence that arises from granting authority to maintain the integrity of the unitary state.

Law Number 32 of 2004 is scattered in various sectoral laws, which are not the same regarding the distribution of authority. Such an arrangement shows that the attraction of the relationship then gives rise to what Bagir Manan calls *spanning* between Central Government and Local Government.

Indonesia as an Archipelagic Country

The Indonesian archipelago as divided into thousands of small and large islands, has seas surrounded by large oceans, namely the Indian Ocean and the Pacific Ocean, and is close to two continents, namely the Australian Continent and the Asian Continent.

Waters include the territory of Indonesia waters and sea inland waters. Territorial was born in 1982 by mutual agreement or a coastal state. The coastal state has a maximum territorial sea width of 12 nautical miles. In the international maritime law meeting on the seas (1982), the territorial sea is regulated in Article 2 and Article 32, where electrical energy is needed for the benefit of the territory. Coastal Indonesia, as a coastal country, has territorial sovereignty in the oceans, internal deep *water* (its archipelagic waters) is sovereignty in the waters itself, and islands are limited in peace by a direct hit called *innocent passage*.



Article 27 of the Regional Government Law regulates provincial regions' authority at sea.

- (1) Provinces are given the authority to manage natural resources in the sea in their territory.
- (2) The authority of the provincial regions to manage natural resources in the sea, as referred to in paragraph (1), includes:
 - a. exploration, exploitation, conservation, and management of marine resources other than oil and natural gas;
 - b. administrative arrangements;
 - c. spatial arrangement;
 - d. participate in maintaining security at sea; And
 - e. participate in defending state sovereignty.
- (3) The provincial authority to manage natural resources in the sea, as referred to in paragraph (1), is at most 12 (twelve) nautical miles measured from the coastline towards the high seas or archipelagic waters.
- (4) Suppose the sea area between the two provincial areas is less than 24 (twenty-four) miles. In that case, the authority to manage natural resources in the sea is divided equally or measured according to the principle of the median line of the area between the two provincial areas.
- (5) The provisions referred to in paragraphs (3) and (4) do not apply to fishing by small fishermen.

The provisions of Article 27 of the Regional Government Law paragraphs (1) - (5) explain the authority of the provincial government in managing natural resources in the sea area and the scope of what can be managed. The natural resource management limit is from the lowest point of 0 to 12 miles, measured from the coastline to the high seas in archipelagic waters. The distribution of authority is equal in distance in a conflict between the two provinces. Paragraphs (3) and (4) do not apply to small - scale fishermen.

The research method is a normative juridical approach carried out through literature research by examining primary legal materials (national laws, regulations, and international conventions/agreements). Researchers also conducted consultations with experts consisting of academics and professionals and public consultations to obtain input and responses from various stakeholders to enrich the material to be prepared to perfect this academic text.

Qualitative juridical analysis was used for data analysis, namely descriptive and prescriptive data analysis based on theories, principles, and teachings in the science of law. The normative juridical method used comes from secondary data, which consists of primary legal materials (laws and regulations) and secondary legal materials (in the form of books), as well as tertiary legal materials (results of research, studies, scientific magazines, and internet sources). The source of material law on coastal issues refers to an inventory of problems, including legal materials, institutions and apparatus, legal services, and legal culture.

Types of Research

This type of research is known as library research, which involves conducting research within the confines of a library to collect and analyze data obtained from various library resources. These resources may include periodical books, such as regularly published scientific journals, documents, and other materials available in the library. Such extensive resources serve as valuable references to compile a comprehensive and well-informed scientific report.

The research approach uses a qualitative approach. Denzin and Lincoln argue that qualitative research is multimethod in focus, including interpretive and naturalistic approaches to the subject matter. This means that qualitative researchers study things in their scientific setting, seeking to understand or interpret phenomena in terms of the meanings people attach to them. In principle, research using a qualitative approach wants to explain, describe critically, or describe a



phenomenon, an event, or an event of social interaction in society to seek and find meaning (meaning) *in* the real context (*natural setting*).

Data analysis is the process of systematically searching for and compiling data obtained from interviews, field notes, and documentation by organizing data into categories, describing them into units

The Urgency of the Archipelagic Regional Law Plan

Based on Article 1 number 6 of Law Number 32 of 2004, an autonomous region, hereinafter referred to as a region, is a " legal community unit that has territorial boundaries that are authorized to regulate and manage government affairs and the interests of the local community according to their initiative based on the aspirations of the people in the national system. The Unitary State of the Republic of Indonesia". In this formulation, a region must have clear territorial boundaries, both land, and sea, to exercise authority based on government affairs and the interests of the people in the area according to its initiative within the NKRI system. This means that the boundaries of these regions become the boundaries for the implementation of authority (affairs).

Issues of Archipelagic Regional Law

Juridically, an archipelago is an area that has explicitly sea areas with its group of islands. According to Article 25A of the 1945 Constitution of the Republic of Indonesia, Law Number 17 of 1985, and Law Number 6 of 1996, the Indonesian legal system recognizes the term archipelago only in the context of an archipelagic state.

Bill on Archipelago Region Reducing Development Disparity

Challenges in the management of island areas include encouraging development in island groups, intensifying the connectivity of people living in island groups, and handling the sea, which generally accounts for 70% - 80% of the total area. The archipelago areas in Indonesia cover the Level I Regions, namely the Provinces of Maluku, Riau Archipelago, North Sulawesi, West Nusa Tenggara, North Maluku, Bangka Belitung, East Nusa Tenggara, and Southeast Sulawesi. There are also Level II Regions, including the Municipal Governments of Batam, Bima, Ambon, Natuna, Biak Numfor, and others.

Archipelagic Regional Law Grows the Economy

The Bill on the Islands Region will answer the problems of the archipelagic regions in catching up with the backwardness of physical development and human resources. In addition, the Archipelagic Regional Law can be a booster for the economic revival of the archipelago during the pandemic. With the presence of the Archipelago Regional Bill, accessibility to fulfilling basic needs, such as good education and health, as well as productivity of small islands, coastal investment, and economic independence of coastal communities can be realized.

The Bill on Islands Region considers that Law Number 23 of 2014 concerning Regional Government is seen as not in favor of archipelagic areas, both in terms of budget allocation from the center to the regions, restoration of regional governance, additional authority, and exceptional funding support in accelerating development demands in archipelagic areas. Law Number 23 of 2014 also does not fulfill the principle of legal certainty for managing sea areas and administrating governance in the archipelago. In addition, it has not yet accommodated the various interests and problems of the archipelago in catching up with development, technology, and human resources, to realize the welfare of the archipelagic people.



The Archipelagic Regional Law can make Indonesia a world maritime axis and manifest the state's presence in the archipelago, as stipulated in Pancasila and the 1945 Constitution of the Republic of Indonesia, particularly Articles 18A and Article 18B. Nine essential substances of the Bill on the Islands Region are oriented towards the maritime development paradigm. It also accommodates six critical elements: geographical position, physical form, area, population, government, and national character. The nine substances are as follows.

1. Attention to the maritime development paradigm and the land development paradigm that the current government has determined
2. Guaranteed fulfillment of basic physical needs and protection from extreme weather
3. Fulfillment of primary and secondary education and health services borne by the state
4. Funding through special archipelagic funds.
5. The Bill on the Islands Region stipulates the concept of the Islands Special Fund (DKK) with a minimum amount of 5% of the General Transfer Funds originating from the DAU and profit-sharing funds.
6. In relation to permits, namely, capture fisheries business permits, permits for procuring fishing vessels, registration of fishing vessels weighing 30-60 gross tons, and issuance of business and processing of fishery products across archipelago areas, which is under the authority of the island provincial government.
7. Authorities in the field of energy and mineral resources
8. Authority in the field of large-scale inter-island trade
9. The conception is that the Outermost Small Islands (PPKT) is a national strategic asset reinforcing the sovereignty of the Unitary State of the Republic of Indonesia.

Marine Economic Opportunities and Challenges

Indonesia's geographical position is very strategic and has a comparative advantage because it is very close to world markets, such as China, Japan, the United States, the European Union, and several newly industrialized countries in Asia. On the other hand, Indonesia is in a tropical area with thousands of islands, enormous maritime and sea power, wealth, and potential resources. This wealth and potential can be used to improve people's welfare.

Maritime and Maritime Sector Contribution to Gross Domestic Product

Indonesia's economy with Gross Domestic Product (GDP) value comes from several sectors, including sea transportation, maritime industry, fisheries, marine tourism, energy and mineral resources, marine construction, and marine services. The potential contribution of the fisheries and marine sector to national economic growth can still be increased, with the sea covering more than 75% of the total area of Indonesia.

It is needed from the government to increase the percentage value of GDP compared to other countries with shorter coastlines than Indonesia. Indonesia has excellent marine and coastal wealth potential as an economic basis for national development, as seen from the sub-optimal contribution of the marine sector to the national GDP. In comparison, America's maritime economy can contribute up to 83% of its national GDP, while South Korea's marine sector can contribute 37% of its national DBH. In Indonesia, whose sea area is more than $\frac{3}{4}$ of its total area, the contribution of the marine sector to its national GDP is still below 30%. If you look at it, the contribution of the marine sector to the GDP of European countries is quite significant. The contribution of the marine resource-based economy to Norway's GDP is almost 60%. This proportion can be considered significant if you look at the area of their beaches and marine wealth, which are relatively much more minor than Indonesia.



The Potential of the Maritime and Maritime Sector on the National Economy

The State of Indonesia has an area of about 7.66 million km². Approximately 5.8 million km² or 75.7% of the total is sea, consisting of 2.8 million km² of the Archipelago Sea, 0.3 km² of the Territorial Sea, and 2.7 million km² of the Exclusive Economic Zone. (EEZ), with more than 13,000 islands. The sea area comprises eleven Fishery Management Areas (WPP), as presented in Table 1 below.

Table 1
Indonesian Territory

| No. | Region | Description/Size |
|-----|--|---|
| 1. | Sea | 5.8 million km ² |
| 2. | Long | 81,290 km |
| 3. | Mainland Area | 1.86 million km ² |
| 4. | Number of Regions Management Fishery (WPP) | Eleven WPP, including: (1) Malacca Strait and the Andaman Sea (2) Karimata Strait, Natuna Sea, and South China Sea (3) Java Sea (4) Makassar Strait, Bone Bay, Flores Sea, and Bali Sea (5) Tolo Bay and Banda Sea (6) Aru Sea, Arafuru Sea, and East Timor Sea (7) n i Bay, Maluku Sea, Halmahera Sea, Seram Sea, and Berau Bay (8) Celebes Sea and north of Halmahera Island (9) e Rawasih Bay and the Pacific Ocean (10) Indian Ocean A (west of Sumatra and the Sunda Strait) (11) Indian Ocean B (south of Java to south of Nusa Tenggara, Sawu Sea, and western part of the Timor Sea) |

Source: Marine and Fisheries Data and Information (2009)

The economic potential of Indonesia's maritime and marine sector is expected to become the foundation of national development. High economic growth can be achieved if the national development paradigm changes from what has so far been exploited on land to developing maritime and marine economic potential, which includes several main sectors, namely: (1) capture fisheries, (2) aquaculture energy, (3) fish processing industry, (4) marine biotechnology industry, (5) marine tourism, (6) mining and energy, (7) sea transportation, (8) maritime industry and services, (9) islands small islands, (10) unconventional resources, such as *deep sea water industries* and *hydrothermal vents*, and (11) valuable objects from sunken ships (treasures on the seabed).

Infrastructure Condition

Fishing ports are *interfacing* between fishing activities at sea (catching) and fishing activities on land (processing and marketing). Thus, the fishing port is the center of all activities related to the fishing business and other supporting businesses, such as providing supplies, shipping, workshops, processing of catches, and others.

Increased development of fishing ports for economic development will encourage people to make maximum and uncontrolled use of fishery resources. Therefore, it is necessary to carry out some parallel activities which are concurrent and must be carried out, including the following.



1. Optimizing the utilization of Fish Resources (SDI) in WPP, which is still " *underfishing*," by developing infrastructure in the area.
2. Increased awareness of all interested parties in applying the precautionary principle in managing and utilizing HR
3. Completion of all applicable regulations and increased supervision
4. SDI management synergy between the center and the regions, including anticipation of reducing conflicts between fishermen that might arise.
5. Restructuring the national fishing fleet to take advantage of natural resources on the high seas through rationalization, nationalization, and modernization.

The capacity of fishery products marketed domestically requires adequate infrastructure. Critical infrastructure for domestic marketing is depots with optimal capacity in wholesale market facilities that bring together producers and consumers.

A. Maritime and Marine Environmental Conditions

Exploitative exploitation of natural resources in Indonesian sea waters can increase people's income but damage the environment. Several factors, such as waste from activities on land and in the ocean, can cause pollution of the coastal and marine environment. Economic activities on land that have the potential to damage and pollute the coastal and marine environment include logging forests, dumping industrial waste, agricultural waste, domestic wastewater and solid waste, conversion of mangrove and seagrass land, and reclamation in coastal areas. Meanwhile, sea activities can pollute the coastal and marine environment, including shipping, disposal of garbage at sea, mining, exploration and exploitation of oil, aquaculture, sea power, and fisheries.

Main Legal Issues

Legal issues in the maritime and maritime sectors are multi-complex, given the many interrelated sectors. As a result, regulations overlap, often contradict each other, between one regulation and another. Another problem is related to the many cases of fishing theft. Generally, the theft location is in eastern Indonesia due to infrastructure imbalances, especially in the Indonesian marine patrol fleet. The sinking of foreign vessels caught stealing fish in Indonesian seas must be done carefully, especially not to violate international regulations and bilateral agreements with neighboring countries.

Another critical issue is related to the elimination or prohibition of using fishing gear that can cause damage to the seabed, coral reefs and inhibit and damage the growth of marine biota. On the other hand, there *is* overfishing. In making regulations prohibiting the use of fishing gear, it is necessary to conduct specific studies regarding social, cultural, economic, resource, and environmental conditions. Rules should address limitations on fishing grounds, fishing routes, vessel size, vessel engine power, and fishing gear specifications, including mesh sizes and fish separators, with the partiality of small and traditional fishermen. Meanwhile, regarding the Indonesian mangrove area as a coastal buffer zone with the potential for shallow sea fish, the damage is very concerning. This is partly due to converting mangrove forests into oil palm plantations, fish ponds, and shrimp ponds.

Indonesia has more than 17 thousand islands united by sea. As much as 62% of the total area of Indonesia is water. In this regard, the perspective of the presence of the Archipelagic Regional Law, which constitutes maritime infrastructure, needs to be made the main point in the vision of Indonesia advancing in 2045 to achieve the goal of developing Indonesia as the world's maritime axis. The Bill on the Islands Region is a hope for mutual progress, especially for residents who live on the islands.



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The Archipelago Regional Bill will play a crucial role for the country, as the future of Indonesia's development with the maritime and fishery potential in the future. There is a lot of marine and fishery potential with high economic value stretching across 2/3 of Indonesia's territory, ranging from fisheries, mining materials, mangrove forests, coral reefs, underwater tourism, and much more. If the management and utilization of these potentials are maximized, they will become a massive source of state revenue. Then, for the archipelago itself, this will provide added value to the extraordinary regional revenue so that it can be maximized in developing its territory.

The Bill on Archipelagic Regions can accommodate and provide solutions to several problems experienced by island and coastal regional governments. With this bill, Indonesia will quickly become the world's maritime axis. Indonesia will return to its identity as a sizeable archipelagic country that protects life and the future in the sea. Indonesia can play a more significant role as a country that is in a strategic position between two waters, namely the Indian Ocean and the Pacific Ocean, both geographically, geostrategically, and economically.

Archipelagic regions need central support regarding distributing profit-sharing funds from the center over archipelagic areas by calculating all the potentials, most of which are actually seas. For example, the General Allocation Fund (DAU) distribution from the central government is calculated based on the land area and population. Meanwhile, an archipelago-characterized area has more expansive waters than the mainland and a smaller population spread over the islands. As for managing the sea area, the central government has regulated that there is no longer the authority of district/city governments. The authority to manage sea areas 0-12 miles from the coastline is at the provincial level, and the central government holds the rest.

Indonesia is the world's maritime axis and is characterized by an archipelago. However, the people who live on the islands are still left behind because they only expect from the sea, even though the potential of the archipelago is not inferior to areas dominated by land. The Bill on the Archipelago Region will later regulate certain authorities in energy and mineral resources, as well as authority in large-scale inter-island trade, finally, regarding the conception that the outermost small islands (PPKT) are a national strategic asset as a reinforcement of the sovereignty of the Unitary State of the Republic of Indonesia.

The main problem that triggered the birth of an Archipelagic Regional Law is justice and welfare for the people who are part of the Unitary State of the Republic of Indonesia. The urgency in accelerating the bill's ratification is because of how difficult it is to build prosperity in an archipelago area and how complicated it is to manage the area consisting of 2,000 islands and archipelagos. In addition, 200 islands are directly adjacent to other countries. Archipelagic Regional Law is not only about fighting for the welfare of the people and preparing the infrastructure. What is more important is maintaining the state's sovereignty and the nation's honor.

Based on this analysis, it can be concluded that:

1. The Bill on the Archipelago Region is considered to be able to assist the region in efforts to alleviate poverty and equalize social justice for all Indonesian people who live in archipelagic areas. The importance of Indonesia having an Archipelagic Regional Law is to develop maritime potential. With this law, Indonesia will quickly become the world's maritime axis.
2. Indonesia can return to its identity as a sizeable archipelagic country that protects life and the future at sea. Indonesia must also be able to play a more prominent role as a country in a strategic position between two waters, namely the Indian Ocean and the Pacific Ocean, both geographically, geostrategically, and economically.
3. The bill's ratification is essential for alignment for island-based regional development. This bill is the aspiration of a region whose sea area is larger than the land area, with meager regional fiscal revenues.
4. Eight out of 34 provinces and 85 districts/cities in Indonesia are characterized by islands and coastal areas.



5. The Bill on the Archipelago Region can accelerate infrastructure development and equitable distribution of development, not burden the government. It will even show that the state is present in the archipelago. To guard the borders, the government must support efforts to strengthen and advance each region.
6. Archipelago areas have enormous potential from various resources.
7. Currently, the archipelago area is synonymous with poor areas.
8. The Bill on the Islands Region is a legal design to answer various problems in the archipelago: poverty, inequality, and underdevelopment of national development.

Archipelagic Regional Law in realizing the welfare of the Indonesian people is as follows.

1. Adequate protection of their rights and the surrounding environment
2. Overcoming resource conflicts that can lead to conflicts between communities or between interested parties regarding the utilization of island resources located in the surrounding.
3. Economic and social development result from the lack of opportunity to benefit from existing development potential.
4. Overcome environmental damage because no regulations limit activities that harm the environment.
5. Improving understanding of the importance of managing islands to increase their role in managing islands wisely.
6. Resolving and anticipating regional disparities in the archipelago. Archipelagic provinces currently have the highest poverty rate and lowest HDI contributors; other indicators show seventh. The Archipelago Region Bill is included in the 2023 Priority National Legislation Program.
7. Law Number 23 of 2014 is also not enough to accommodate the various interests and problems of the archipelago to catch up on development, technology, and human resources for the welfare of the island community.
8. To formulate Local Own Revenue

As for b heck, the presence of the Archipelago Regional Law in society can cause the following losses.

1. Lack of protection: island communities may not have adequate protection for their rights and the environment.
2. Resource conflict: conflicts between communities or interested parties regarding the utilization of island resources located in surrounding areas.
3. Lack of development: island communities lack opportunities to benefit from existing development potential.
4. Damage: without regulations limiting activities that are harmful to the environment, significant environmental damage can occur and is difficult to reverse.
5. Lack of understanding: island communities may lack understanding of how they can play a role in wise management of the islands.

If archipelagic areas do not receive special treatment, these areas will not develop and cannot catch up with other developed regions in Indonesia. The positive impact of the ratification of the Archipelago Regional Bill is accelerating the distribution of development and welfare of the people to remote areas. The existence of the Archipelagic Regional Law not only fights for the people's welfare but also fortifies the security and honor of the nation.

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